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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/615,830	07/13/2000	Charles T. Shotton JR.	J522-006 US	6757

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EXAMINER

BULLOCK JR, LEWIS ALEXANDER

ART UNIT	PAPER NUMBER
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2195

DATE MAILED: 07/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

67

## Office Action Summary

Application No.

09/615,830

Applicant(s)

SHOTTON ET AL.

Examiner

Lewis A. Bullock, Jr.

Art Unit

2195

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 19 April 2005.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1 and 7-35 is/are pending in the application.  
4a) Of the above claim(s) 25-30 is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1, 7-24 and 31-35 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 30 July 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Election/Restrictions***

1. Applicant's election with traverse of Group I, claims 1, 7-24 and 31-35 in the reply filed on 7/2/04 is acknowledged. The traversal is on the ground(s) that the claims are similar performing the function of retrieving changing target content from a remote target source and therefore would not be a serious burden on the examiner. This is not found persuasive because the claims are not performing the same function. Claims 1, 7-24 and 31-35 deal with the retrieving of changing target content from a remote target source. Claims 25-30 do not deal with the act of retrieving changing target content as the other claims, but the act of constructing of an agent to retrieve data. Claims 25-30 recite limitations of identifying the type of agent being built, and generating and storing a set of program instructions for retrieving target source and locating target content structure. The cited claims also detail an act of verifying the accuracy of the stored instructions and information on the local computer. Group I does not allude to or is detailed toward the make up of the agent, as long as it is capable of retrieving target content data from a remote computer. Group II is more concern with the make-up of the agent and therefore is restricted from Group I.

The requirement is still deemed proper and is therefore made FINAL.

2. This application contains claims 25-30 drawn to an invention nonelected with traverse in Paper No. 7/2/04. A complete reply to the final rejection must include cancellation of nonelected claims or other appropriate action (37 CFR 1.144) See MPEP § 821.01.

***Response to Amendment***

3. The affidavit filed on 4/19/05 under 37 CFR 1.131 is sufficient to overcome the Meunier reference.

***Drawings***

4. New corrected drawings in compliance with 37 CFR 1.121(d) are required in this application because of Draftperson's Review. Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1, 7, 15 and 31-35 are rejected under 35 U.S.C. 102(b) as being anticipated by "Tracking and Viewing Changes on the Web" by DOUGLIS.

As to claim 1, DOUGLIS teaches a software agent (w3newer) executable on a local computer for retrieving a changing target content from a target source (changed

web page) on a remote computer, comprising: means for retrieving data from a target source on a remote computer (retrieves pages from WWW), program instructions for identifying a predefined structural location of target content located within a version of data retrieved from the target source, the predefined structural location based upon a structural location of target content identified in a previous version of data retrieved from the target source; and an agent engine for executing the program instructions to retrieve potentially changing target content from the target source (via the w3newer program invoking the htmldiff which can parse an HTML document and rectify certain syntactic problems, such as mismatched or missing markups and run as client-side support in conjunction with the browser) (see pages 8-9, Issues and Extensions, and Integrating the tools).

As to claim 15, DOUGLIS teaches a method for retrieving a target content (web page change) from a remote computer, the method comprising: providing a software application (AIDE system tool / w3newer) having at least one autonomous agent (w3newer), each autonomous software agent comprising routines, an agent information describing the structural location of a target content within a target document (hotlist / interested URLs), and an agent engine to execute the routines and apply agent information to download a dynamically changing target document from a remote computer, locate a changing target content within the target document, extract the located target content, reformat the extracted target content into a common format (via using the htmldiff to parse the extracted content to determine if it is different from the

Art Unit: 2195

past content), and store the content on a local computer (via storing the new page or changes to both notify the user of the changes and for subsequent checking for future changes to the web page); executing the at least one agent on the local computer to download the target document from the remote computer and locate and extract the target content from the target document; and storing the retrieved target content on the local computer (via the w3newer program invoking the htmldiff which can parse an HTML document and rectify certain syntactic problems, such as mismatched or missing markups and run as client-side support in conjunction with the browser) (see pages 8-9, Issues and Extensions, and Integrating the tools).

As to claim 31, DOUGLIS teaches a method for downloading a dynamically changing target document (changed web page) from a remote computer to a local computer and locating and extracting a target content from the target document (via htmldiff), the method comprising the steps of: downloading a target document from a remote computer (retrieves pages from WWW), and further characterized by the steps of: identifying a target content within the target document (via parsing); parsing the target document to determine a structural location of the target content in the target document (via the htmldiff parsing the document to identify change); storing a description of the structural location of the target content as agent information; downloading a subsequent version of the target document from the remote computer and locating the structural location of the target content within the target document using the agent information; and retrieving the target content within the subsequent

Art Unit: 2195

version of the target document (via the w3newer program invoking the htmldiff which can parse an HTML document and rectify certain syntactic problems, such as mismatched or missing markups to determine changes in web pages for local storage and future checks and run as client-side support in conjunction with the browser) (see pages 8-9, Issues and Extensions, and Integrating the tools).

As to claim 7, DOUGLIS teaches the data is a web page structure (HTML) and the program instructions comprises algorithms for parsing the data retrieved from the target source structure to find the target content (via the htmldiff parsing an HTML document to detect a change) (pg. 7-9).

As to claims 32-35, DOUGLIS teaches the identifying the target content (performed by the htmldiff) comprises identifying start marker text and end marker text (mark-ups) that delimits the target content in the target document wherein the marker text define plain text, stylized text, HTML syntax elements, non-text web page elements, or contained in two different structures in the target source (i.e. within an internal begin/end marker and an external begin/end marker) (refer to pages 7-9).

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 8-11, 13,14 and 16-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over "Tracking and Viewing Changes on the Web" by DOUGLIS in view of SHKLAR (U.S. Patent 6,253,239).

As to claim 8, DOUGLIS teaches a locally executing software application for retrieving and arranging target content from a target source on a remote computer on to a local computer, the software application (AIDE system tool / w3newer) comprising: at least one agent (w3newer) having information describing a predefined structural location of a target content (URL / link) within a target document and an agent engine for executing program instructions using the agent information to download a dynamically changing target document from a remote computer (retrieves pages from WWW), locate a changing target content within the target document, extract the located target content, reformats the extracted target content (via using the htmldiff to parse the extracted content to determine if it is different from the past content) and store the target content on the local computer (via the w3newer program invoking the htmldiff which can parse an HTML document and rectify certain syntactic problems, such as mismatched or missing markups and run as client-side support in conjunction with the browser) (see



pages 8-9, Issues and Extensions, and Integrating the tools). However, DOUGLIS does not teach a publication template.

SHKLAR teaches an agent communicating with other agents for retrieving changing document data (col. 5, lines 19-33; col. 10, lines 29 – col. 11, line 64) and at least one publication template (template) for arranging the retrieved, stored target content for display on the local computer (col. 12, line 52 – col. 13, line 5). Therefore, it would be obvious to one skilled in the art at the time of the invention to combine the teachings of DOUGLIS with the teachings of SHKLAR in order to facilitate display of stored data in an enhanced and/or customized format regardless the formatting of the stored data (col. 1, line 66 – col. 2, line 10).

As to claims 9-11, SHKLAR teaches a web browser display window capable of displaying the target content as arranged by the publication templates (templates / security levels of various users) (col. 12, line 52 – col. 13, line 5; fig. 10, 11; col. 3, lines 27-36) and a plurality of agents (agents) (col. 10, lines 29 – col. 11, line 64).

As to claim 13 and 14, DOUGLIS teaches the at least one agent includes parsing means for determining the location of target content within the structure of the target document wherein the parsing comprises agent information having target content source structure information and algorithms for parsing the structure of the target

Art Unit: 2195

document to find a target document structure containing the target content (via the htmldiff parsing an HTML document to detect a change) (pg. 7-9)

As to claims 16-22, DOUGLIS substantially discloses the invention above. However, DOUGLIS does not teach a displaying the target content by using a publication template.

SHKLAR teaches an agent communicating with other agents for retrieving changing document data (col. 5, lines 19-33; col. 10, lines 29 – col. 11, line 64) and at least one publication template (template) for arranging the retrieved, stored target content for display on the local computer (col. 12, line 52 – col. 13, line 5; fig. 10, 11; col. 3, lines 27-36). Refer to claim 8 for the motivation to combine.

As to claims 23 and 24, DOUGLIS teaches finding the target content comprises parsing the target document and locating a structure within the parsed target document structure matching the structural location information in the agent information by using a plurality of algorithms (via the htmldiff parsing an HTML document to detect a change) (pg. 7-9).

9. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over “Tracking and Viewing Changes on the Web” by DOUGLIS.

As to claim 12, DOUGLIS teaches when a periodic task checks the status of a large number of URLs, a number of things can go wrong (pg. 5, first sentence) and that the w3newer program performs checks on URLs (pg. 3). However, DOUGLIS does not teach the program is scheduled. It would be obvious to one of ordinary skill in the art at the time of the invention that task that perform periodically must be scheduled and therefore that since the program checks for the status of URLs and that this task is performed on a periodically, that the w3newer program is scheduled periodically on the client system.

### ***Conclusion***

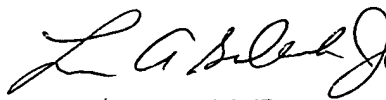
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lewis A. Bullock, Jr. whose telephone number is (571) 272-3759. The examiner can normally be reached on Monday-Friday, 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng An can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2195

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

July 23, 2005



LEWIS A. BULLOCK, JR.  
PRIMARY EXAMINER